

ORIGINAL

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

SEP 04 2007
at 8 o'clock and min. M.
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 04-0399DAE-05
)	
Plaintiff,)	MOTION FOR DEPARTURE DOWNWARD
)	IN SENTENCING DEFENDANT
VS.)	
)	
THOMAS BARROS, JR.,)	Sentencing date: 9/04/07 at
)	2:15 p.m., before the Hon.
Defendant.)	David Alan Ezra, U.S.
)	District Judge

MOTION FOR DOWNWARD DEPARTURE
IN SENTENCING DEFENDANT

The United States of America, by and through its undersigned counsel, hereby moves this Honorable Court to depart downwards in imposing sentence upon defendant above-named, due to his substantial assistance to and cooperation with law enforcement authorities in the investigation or prosecution of other persons who have committed an offense.

This motion is made pursuant to 18 U.S.C. 3553(e) and U.S. Sentencing Commission Guideline 5K1.1, and is based upon the information contained in the sealed "Factual Basis for Motion for

Departure Downward in Sentencing Defendant", filed concurrently herewith.

DATED: Honolulu, Hawaii, September 4, 2007.

EDWARD H. KUBO, JR.
United States Attorney

By Michael K. Kawahara
MICHAEL K. KAWAHARA
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the attached was served via delivery, on the following:

STUART N. FUJIOKA, ESQ.
841 Bishop Street, Suite 224
Honolulu, HI 96813

Attorney for defendant

DATED: Honolulu, Hawaii, September 4, 2007.

Roman N. King